

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

September 6, 2019

Maryanne Geisbush Regulatory Consultant Ensystex II, Inc c/o Pyxis Regulatory Consulting Inc. 4110 136th St. Ct. NW Gig Harbor, WA 98332

Subject: Registration Review Label Mitigation for Boric Acid

Product Name: Borathor Granular Scatter Bait

EPA Registration Number: 81824-12

Application Date: 9 Oct 2018 Decision Number: 554478

Dear Maryanne Geisbush:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all of the information submitted with your application to support the Registration Review of the above referenced product in connection with the Boric Acid Interim Decision, and has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

A copy of your label stamped "Accepted" is enclosed. Products shipped after 12 months from the date of this amendment must bear the new revised label. Your release for shipment of the product bearing the amended label constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6.

Page 2 of 2 EPA Reg. No. 81824-12 Decision No. 554478

If you have any questions about this letter, please contact Miguel Zavala by phone at 703-347-0504, or via email at <u>zavala.miguel@epa.gov</u>.

Sincerely,

Linda Arrington, Branch Chief

Risk Management and Implementation Branch 4 Pesticide Re-Evaluation Division

Office of Pesticide Programs

Enclosure

8D



BORATHORGranular Scatter Bait

Kills and controls ants*, cockroaches, crickets*, earwigs, silverfish, slugs, snails, pillbugs, sowbugs, millipedes* and centipedes*

*Not approved for use on the following pests in California – Ants (Acrobat, Rover, Big-Headed, White-Footed, Ghost, Cornfield); Ground Crickets; Centipedes, Millipedes

For use in and around commercial, educational, health care, industrial, municipal, recreational and residential structures including apartments, food handling establishments, food processing plants, garages, homes, hospitals, hotels, kennels, lawns, pet stores, public and private institutions, restaurants, schools, sewers, supermarkets, vending machines, warehouses and zoos

For use on turf including lawns, parks, golf courses and playing fields

For both interior and exterior use

Ready to use

Active Ingredient:	By Wt.
Boric Acid	5.0%
Other Ingredients:	<u>95.0%</u>
Total:	100.0%

EPA Reg. No. 81824-12 EPA Est. XXXXX-XX-XXX

KEEP OUT OF REACH OF CHILDREN

CAUTION

NET WEIGHT: As marked on container

ENSYSTEX II, Inc.

2175 Village Drive, Fayetteville, NC 28304

FIRST AID	
If in eyes	Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.
	• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes.
	Call a poison control center or doctor for treatment advice.
If on skin or clothing	 Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 -20 minutes. Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the pro-	duct container or label with you when

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1–800–369-4352 for emergency medical treatment information.

PRECAUTIONARY STATEMENTS Hazards to Humans and Domestic Animals CAUTION

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Personal Protective Equipment (PPE)

Applicators and handlers must wear long sleeved shirt and long pants, chemical-resistant or waterproof gloves and shoes plus socks.

Environmental Hazards

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

For applications to industrial/commercial areas: Only use hand operated rotary-style spreaders. Do not apply by hand, with hand measurement tools, or with large scale vehicular equipment.

Resistance Management

For resistance management, Borathor Granular Scatter Bait contains a Group 8D insecticide. Any insect population may contain individuals naturally resistant to Borathor Granular Scatter Bait and other Group 8D insecticides. The resistant individuals may dominate the

insect population if this group of insecticides are used repeatedly in the same location. Appropriate resistance-management strategies should be followed.

To delay insecticide resistance, take the following steps:

- Monitor after application for unexpected target pest survival. If the level of survival suggests the presence of resistance, consult your local university specialist or certified pest control advisor.
- Contact your local extension specialist for any additional pesticide resistance-management and/or IPM recommendations for the specific site and pest problems in your area.
- For further information or to report suspected resistance, contact Ensystex II, Inc. representatives at 1-866-FOR-THOR (367-8467) or www.for-thor.com.

PRODUCT INFORMATION

BORATHOR Granular Scatter Bait is ready to use to control the following pests:

Ants: Argentine, Carpenter, Thief, Pharaoh, Little Black, Pavement, Odorous House, Crazy, Acrobat[†], Rover[†], Big-Headed[†], White-Footed[†], Ghost[†], Cornfield[†]

[†]Not approved for use on Acrobat, Rover, Big-Headed, White-Footed, Ghost or Cornfield ants in California.

Cockroaches: Asian, American, Brown, Brown Banded, Smokey Brown, German and Oriental Cockroaches

Crickets: Camel, House, Field, Ground[†] and Mole Crickets

[†]Not approved for use on ground crickets in California.

Silverfish, Earwigs, Slugs, Snails, Pillbugs, Sowbugs, Centipedes[†], Millipedes[†]

[†]Not approved for use on Centipedes or Millipedes in California.

To be effective, this product must remain attractive and palatable to the target pests. Do not allow it to become contaminated with other pesticides or other substances.

Do not apply to food. Before making an application in a commercial food handling facility, cover or remove any food present in any part of the facility in which an application will occur. Bait may be placed in removable trays in all areas of food handling establishments including food handling areas. If this is done, record the number and location of all trays.

Application of this product by power duster is permitted in areas in which the use of a power duster is appropriate. Adjust power duster application rate to setting recommended by power duster manufacturer for such applications.

Keep children and pets out of areas being treated until application to that area is complete. Do not treat pets with this product.

Do not contaminate feed and foodstuff with this product. Can be applied in conjunction with ABATHOR Granular Ant Bait. Apply all products according to their separate individual label directions.

OUTDOOR USE

For applications to lawns, ornamental turf, playing fields, parks and golf course greens

Pests controlled: Ants, cockroaches, crickets (including mole crickets)

Application location and method: Spread/broadcast evenly with a mechanical spreader, hand shaker or duster. Do not water this product in.

For Mole crickets, irrigate areas to be treated immediately before application, preferably in the late afternoon. Do not irrigate after application.

Application rates: (All the rates are equivalent)

2 lbs. / 1000 sq. ft.

2/3 cup (equal to 3.2 oz.) / 100 square feet

90 lbs. / acre

Application timing: Reapply in 7 days if pest infestation continues.

For applications around exterior building perimeters including exteriors of homes, hotels, apartment buildings, stores, restaurants, warehouses and other structures

Pests controlled: Ants, cockroaches, crickets

Application Method: Spread/scatter evenly and continuously in a band between 2 and 4 feet wide around the exterior perimeter of the structure by hand, hand shaker, mechanical spreader or bellows duster.

Application Rates: (rates are equivalent)

4 lbs. / 1000 sq. ft.

3/4 - 1 1/4 cups (4 - 6 oz.) per 100 square feet.

Application Locations: Apply along and around foundations, patios, driveways, sidewalks, entrances to homes and buildings, or other areas where pests are or may be present. Apply around exterior fixtures such as landscape lighting, floodlights and street lamps. Apply to flowerbeds, leaf litter, wood piles, vegetative debris, compost heaps, mulch beds, around trash cans and refuse areas. Apply along ant trails and in areas of ant activity. Apply most liberally in areas of greatest potential pest harborage however do not allow bait to accumulate in a pile that would be attractive to pets.

Quarterly applications during periods of heightened pest activity (during the warmer months of the year) can help suppress the growth of pest populations and ant populations in particular.

Applications can be made at the same time as and in conjunction with the application of a liquid pesticide around the exterior perimeter of the structure. If the liquid treatment contains a repellent pesticide such as a synthetic pyrethroid, keep the areas treated with the two different products separate by first applying the liquid pesticide on and immediately adjacent to the structure (to the extent permitted in the repellent product label directions) and then applying this product in a band outside the area covered by the liquid treatment. Applications can also be made in insect bait stations.

For Carpenter ants, create bands around trees, stumps, firewood piles, mulch beds and other potential Carpenter ant harborages. Treat Carpenter ant nests in hollow

trees and stumps directly by applying $\frac{1}{2}$ - 1 oz. of product directly to the cavity.

Re-application Timing: Re-apply in 7 days if pest infestation continues.

For applications to ant mounds

Application Method and Location: Spread evenly by hand or duster in immediate area of mound and along ant trails and areas where ant activity has been present.

Application Rate: 1 - 1/2 oz around each ant mound

INDOOR USE (EXCEPT FOOD AREAS OF FOOD HANDLING ESTABLISHMENTS)

For applications to the interiors of apartment buildings, camps, factories, food handling establishments (non-food areas), garages, grocery stores, homes, hospitals, hotels, industrial plants, kennels, libraries, markets, military bases, mobile homes, motels, new construction, nursing homes, offices, pet stores, restaurants, schools, sewers, stores, theaters, transportation equipment, utilities, warehouses and zoos.

Pests Controlled: Ants, cockroaches, crickets, silverfish

Application Rates: (rates are equivalent)

4 lbs. / 1000 sq. ft.

1 1/4 cups (equal to 6 oz.) / 100 square ft.

Application Method: Spread/scatter evenly by hand, duster or hand shaker or inject into cracks and crevices with a bellows type duster.

Application Locations: Apply in areas where pest activity is heaviest such as crawl spaces, attics, drop ceilings, cellars with dirt or gravel floors, around drains, in cracks and crevices and other inaccessible areas where insects can hide.

In warehouses, garages and basements, apply along walls and baseboards and areas of high insect activity, in cracks and crevices, behind and beneath pallets and boxes in storerooms. In sewers, apply along ledges and around manhole entrances.

In kitchens, bathrooms and utility rooms, apply under and behind appliances. Apply to the cavities behind appliance and cabinet / vanity kick plates. If there is no gap between the top of the kick plate and the cabinet and the kick plate cannot be removed, create a small application hole in the kick plate every two feet.

Apply to voids around plumbing pipes, behind water heaters, under sinks in kitchens and bathrooms, showers and utility rooms. Gain access to voids in the walls by removing collars around pipes and treating into the void between the pipe and the wall. Remove electrical wall sockets and switch covers and apply product into wall voids. Do not apply directly into electrical switch and outlet boxes.

Apply to cracks and crevices that may harbor pests such as openings and spaces between elements of construction such as cabinets, doors, countertops, molding and baseboards.

The development of pest invasions can be slowed or stopped with annual preventative applications to attics and crawlspaces.

Apply carefully in poorly or non-ventilated attics to avoid seepage into living areas of the structure of food odors that might be created when bait is heated. Place product in these areas in such a way it can be retrieved easily if needed.

For applications to new construction, apply in wall voids and other areas where insects may hide.

Re-application Timing: Re-apply in 7 days if pest infestation continues.

USE IN FOOD AREAS OF FOOD HANDLIING ESTABLISHMENTS

Pests controlled: Ants, cockroaches, crickets and silverfish

Application Method and Rate: Limited to crack and crevice treatment only. Application can be made using most types of dust applicators such as a bellows duster by inserting the applicator stem opening into gaps, openings, cracks and crevices between elements of construction. If needed, create small access openings with a drill bit. Apply 2 to 6 puffs per foot, applying more product the more severe the infestation. Any product visible after application must be cleaned up either by brushing into cracks and crevices or sweeping / vacuuming. Power dusters can be used (except in California).

Application Locations: Apply only to areas inaccessible to children and pests. Do not contaminate kitchen utensils, feed or foodstuffs during application. Scatter bait liberally under and behind appliances, refrigerators, coolers, cabinets, stoves, dishwashers, washing machines, vending machines, dryer tubs and counters, removing kick plates if possible prior to application. Remove kitchen and bathroom drawers first and then treat by scattering / dusting onto the drawer well surfaces below the drawers. Treat wall voids by treating into cracks where drains, water pipes and electrical conduits penetrate walls. Treat potential pest harborages such as openings and spaces between elements of construction such as cabinets, doors, countertops, molding, baseboards and splashguards.

Reapplication Timing: Reapply after 7 days if pest infestation continues.

USE IN MEAT AND POULTRY PLANTS

For applications only in inedible product areas as a crack and crevice treatment

Pests controlled: Ants, cockroaches, crickets and silverfish

Apply liberally into cracks and crevices between elements of construction such as cracks between walls and baseboards, beneath appliances, cabinets and waste containers, into voids that are accessible through openings between water pipes and electrical conduits and the walls they penetrate. Avoid contamination of feed and foodstuffs. Bait may be placed in removable trays in all areas including food handling areas. Record the number and location of all trays. The best use of this product is as a supplemental treatment in conjunction with the use of approved sprays and good sanitation practices.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Consult federal, state or local disposal authorities for approved alternative procedures.

Pesticide Storage: Store in a dry place. Do not store where children or animals may gain access.

Pesticide Disposal: Wastes resulting from use of this product may be disposed of on site, in accordance with the label directions, or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available.

IMPORTANT READ BEFORE USE

NOTICE: Read the entire Directions for Use, Conditions of Sale, Disclaimer of Warranties and Limitations of Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

CONDITIONS OF SALE: The Directions for Use of this product are believed to be adequate and should be followed carefully. However, because of manner of use and other factors beyond the control of Ensystex II, Inc., it is impossible for Ensystex II to eliminate all risks associated with the use of this product such as ineffectiveness or unintended consequences. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Ensystex II harmless for any claims relating to such factors.

DISCLAIMER OF WARRANTIES: Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the Directions for Use under normal conditions of use. ENSYSTEX II MAKES NO WARRANTIES MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS **PRODUCT** THAT **EXTEND BEYOND** STATEMENTS MADE ON THIS LABEL. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, under abnormal conditions or under conditions not reasonably foreseeable by (or beyond the control of) seller or Ensystex II, Inc., and buyer assumes the risk of any such use.

LIMITATIONS OF LIABILITY: To the extent permitted by law, Ensystex II shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ENSYSTEX II AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING

FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ENSYSTEX II, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

Borathor is a registered trademark of Ensystex II, Inc. [EPA Approval Date]